

FILED
US DISTRICT COURT
DISTRICT OF ALASKA

2005 DEC 22 PM 2:27



JOSEPH H. KIM, Trial Attorney (IL6243249)
United States Department of Justice
Environment and Natural Resources Division
Wildlife and Marine Resources Section
Benjamin Franklin Station, P.O. Box 7369
Washington, D.C. 20044-7369
Telephone: (202) 305-0207
Facsimile: (202) 305-0275
joseph.kim@usdoj.gov

One of the Attorneys for Federal Defendants
(Additional Counsel listed on Signature Page)

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA
AT ANCHORAGE

YUKON DELTA FISHERIES DEVELOPMENT
ASSOCIATION, et al.,

Plaintiffs,

v.

NATIONAL MARINE FISHERIES SERVICE,
et al.,

Defendants.

Cause No. A05-245 CV (JKS)

**UNOPPOSED MOTION TO
EXTEND TIME TO ANSWER
AND FILE THE
ADMINISTRATIVE RECORD**

Defendants, National Marine Fisheries Service, James Balsinger, sued in his official capacity as National Marine Fisheries Service Alaska Regional Administrator, and Carlos Gutierrez, sued in his official capacity as Secretary of Commerce (collectively, "Federal Defendants"), through counsel, hereby move the Court for an extension of time to file both the answer and administrative record in this case to January 15, 2006. In support of this motion, Federal Defendants state as follows:

1. Upon information and belief, Plaintiffs served their Complaint in this action on the Secretary of Commerce on November 6, 2005. Accordingly, Federal Defendants' answer and the administrative record would thus due to be filed by December 22, 2005.

5

2. Due to scheduling and coordination issues between and among the relevant personnel within the United States Department of Commerce, Federal Defendants have not yet been able to complete the administrative record or prepare the answer.

3. Accordingly, Federal Defendants seek an extension of time for the answer and the administrative record until January 15, 2006.

4. Federal Defendants' counsel has conferred with Plaintiffs' counsel, and Plaintiffs do not oppose this motion.

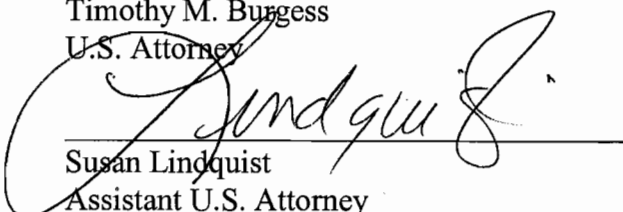
5. There have been no previous extensions sought or received in this case.

Dated: December 22, 2005

Respectfully submitted,

SUE ELLEN WOOLDRIDGE
Assistant Attorney General
United States Department of Justice
Environment and Natural Resources Division
JEAN E. WILLIAMS, Section Chief
LISA L. RUSSELL, Assistant Section Chief
JOSEPH H. KIM, Trial Attorney (IL6243249)
United States Department of Justice
Environment and Natural Resources Division
Wildlife and Marine Resources Section
Benjamin Franklin Station, P.O. Box 7369
Washington, D.C. 20044-7369
Telephone: (202) 305-0207
Facsimile: (202) 305-0275
joseph.kim@usdoj.gov

Timothy M. Burgess
U.S. Attorney



Susan Lindquist
Assistant U.S. Attorney
District of Alaska
222 W. 7th Ave. # 9, C-253
Anchorage, Alaska 99513-7567

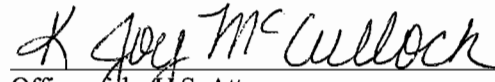
Attorneys for Federal Defendants

I declare under penalty of perjury that a true and correct copy of the Motion to Extend Time was sent to the following counsel of record on December 22, 2005, via:

(X) U.S. Mail

Daniel P. Harris
Gerald T. Davis
HARRIS & MOURE, pllc
720 Olive Way, Suite 1000
Seattle, WA 98101

Executed at Anchorage, Alaska, on December 22, 2005



Office of the U.S. Attorney